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MAIL STOP PCT  
Attorney Docket: 27144U  
Date: April 27, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
SCHMIDT

Art Unit: Unknown  
Examiner: Unknown

Appl. No.: 10/565,526  
Filed: January 23, 2006  
Intl. Appl. No.: PCT/EP2004/051680  
Intl. Filing Date: July 30, 2004  
For: **NOVEL 6-PHENYLPHENANTHRIDINES**

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

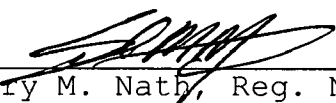
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Information Disclosure Statement;
- 2) PTO Form-1449 with 17 cited References, and copies for 12 of the 17 cited References.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

  
\_\_\_\_\_  
Gary M. Nath, Reg. No. 26,965  
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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

[XXX] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[ ] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.

The enclosed statement is accompanied by [check one]:

- [ ] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or  
[ ] ii. a check in the amount required by 37 C.F.R. 1.17(p).

☐ c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.  
☐ Certification report(e) below; and  
☐ a check in the amount as required by 1.17(p).

☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

[XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[ ] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

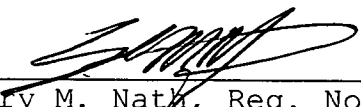
and / or

[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

  
\_\_\_\_\_  
Gary M. Nath, Reg. No. 26,965  
Sheldon M. McGee, Reg. No. 50,454  
Customer No. 34375

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GMN/SMM/1e



FORM PTO-1449

In re Application of:  
SCHMIDTArt Unit:  
UnknownAppl. No:  
10/565,526Filed:  
January 23, 2006Examiner:  
Unknown**INFORMATION DISCLOSURE CITATION****U.S. PATENT DOCUMENTS**

Examiner Initial		Document Number	Issue / Publication Date	Inventor	Filed
/R.D./	A1	6,410,551 (corresponds to WO 99/05111)	25 Jun. 2002	Gutterer	18 Jul. 1998
/R.D./	A2	6,191,138 (corresponds to WO 97/28131)	20 Feb. 2001	Gutterer	30 Jan. 1997
/R.D./	A3	6,127,378 (corresponds to WO 97/35854)	3 Oct. 2000	Gutterer	24 Mar. 1997
/R.D./	A4	6,121,279 (corresponds to WO 99/05113)	19 Sep. 2000	Gutterer	18 Jul. 1998

**FOREIGN PATENT DOCUMENTS**

Examiner Initial		Document Number	Publication Date	Country	Translation
/R.D./	A5	2005/012252 A1	10 Feb. 2005	WO	N/A
/R.D./	A6	00/42018 A1	20 Jul. 2000	WO	N/A
/R.D./	A7	97/35854 A1	2 Oct. 1997	WO	Abstract
/R.D./	A8	00/42034 A1	20 Jul. 2000	WO	N/A
/R.D./	A9	00/42020 A1	20 Jul. 2000	WO	N/A

**OTHER**

Examiner Initial		(Including Author, Title, Date, Pertinent Pages, etc.)
	A10	
	A11	
	A12	
	A13	
	A14	
	A15	

Examiner /Rita Desai/

Date Considered 05/08/2009

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<b>FORM PTO-1449</b>		In re Application of: SCHMIDT		Art Unit: Unknown	
<b>INFORMATION DISCLOSURE CITATION</b>		Appl. No: 10/565,526	Filed: January 23, 2005	Examiner: Unknown	
<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initial		Document Number	Issue / Publication Date	Inventor	Filed
/R.D./	A16	5,877,190	2 Mar. 1999 (corresponds to EP 834508)	Dhainaut et al.	3 Oct. 1997
<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initial		Document Number	Publication Date	Country	Translation
/R.D./	A17	99/05111 A1	4 Feb. 1999	WO	N/A
/R.D./	A18	99/05113 A1	4 Feb. 1999	WO	N/A
/R.D./	A19	02/06238 A1	24 Jan. 2002	WO	N/A
/R.D./	A20	02/05616 A1	24 Jan. 2002	WO	N/A
/R.D./	A21	97/28131 A1	7 Aug. 1997	WO	Abstract
/R.D./	A22	96/00215 A1	4 Jan. 1996	WO	N/A
/R.D./	A23	0 834 508 A1	8 Apr. 1998	EP	Abstract
	A24				
<b>OTHER</b>					
Examiner Initial		(Including Author, Title, Date, Pertinent Pages, etc.)			
	A25				
	A26				
	A27				
	A28				
	A29				
	A30				
Examiner /Rita Desai/			Date Considered 05/08/2009		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.					